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SERIES I No. 46

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms
Personnel Division

Notification

1/2/81-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs' Notification No. E.7(11)/72-Goa dated 25-7-1963 and in supersession of the existing recruitment rules for the posts, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the General Central Service Group 'B' Gazetted posts in the Institute of Psychiatry and Human Behaviour, under Government of Goa, Daman and Diu, namely:—

1. *Short title, application and commencement.* —

(1) These rules may be called the Government of Goa, Daman and Diu, Institute of Psychiatry and Human Behaviour, General Central Service Group 'B' Gazetted posts Recruitment Rules, 1985.

(2) *Application.* — These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. *Number, classification and scales of pay.* — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.* — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule.

4. *Disqualification.* — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage or that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.* — Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 31st January, 1985.

SCHE DULE

Name of the post	No of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruit will apply in the case of promotions	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	(6a)	7	8	9	10	11	12	13
2. Assistant Pharmaceutical Chemist.	1 (1985) Subject to variation dependent on workload.	General Central Service Group 'B' Non-Gazetted.	Rs. 550-25-750-EB-30-900.	N. A.	Not exceeding 30 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government).	No	<p>Essential:</p> <p>i) B. Pharm. degree of a recognised University or equivalent.</p> <p>ii) 3 years' experience in a reputed Pharmaceutical concern, Govt. undertaking or Hospital having more than 500 beds, of manufacturing medicines/drugs and supervision of Pharmacy Service.</p> <p>Note 1: Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified.</p> <p>Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the U. P. S. C. in the case of candidates belonging to Scheduled Castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>i) M. Pharm. degree of a recognised University or equivalent.</p> <p>ii) Knowledge of Konkani and/or Marathi.</p>	N. A.	Two years	By direct recruitment.	N. A.	Group 'B' D.P.C. (for considering confirmation).	Consultation with the Commission necessary while making direct recruitment and amending/relaxing any of the provisions of these rules.
												<p>1. Chief Secretary — Chairman.</p> <p>2. Administrative Secretary — Member.</p> <p>3. Head of Department — Member.</p> <p>Note: The Proceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If however, they were not approved by the Commission a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P. S. C. shall be held.</p>	

Industries and Labour Department

Notification

18/2/83-ILD

In exercise of the powers conferred by section 16 of the Cinematograph Act, 1952 (Central Act 27 of 1952) read with the Government of India, Ministry of Home Affairs Notification No. GI/Goa/19/28/63-UTL dated 16th January, 1985, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Cinematograph Rules, 1965, namely:

1. *Short title.*— These rules may be called the Goa, Daman and Diu Cinematograph (Amendment) Rules, 1984.

2. *Insertion of new Part IX A.* In the Goa, Daman and Diu Cinematograph Rules, 1965 (hereinafter called the "principal rules") after Part IX, the following new Part IX A shall be inserted, namely:—

"Part IX A

Special provisions applicable to the public exhibition of films on video.

105. *Licensing of exhibition of films on video.*—

(1) A person who intends to exhibit films on video to the public shall make an application to the Licensing Authority in 'Form F' for grant or renewal of a licence for such public exhibition of film on video accompanied by the treasury receipt for the payment of fees specified below:—

(a) Fees for grant or renewal of licence for a year or less shall be Rs. 100/- upto 50 seats and Rs. 200/- upto 100 seats.

(b) Fees for grant or renewal of Electrical and Fire Certificate shall be Rs. 100/- per annum.

(2) The application for renewal of licence shall be made two months before the expiry of the licence sought to be renewed.

106. *Procedure to be followed by licensing authority.*— (1) On receipt of an application under Rule 105, the licensing authority shall, if the application is not in order, return the same to the applicant for resubmission within the period of 60 days, failing which the application shall be treated as rejected.

(2) If the application is in order, the licensing authority shall obtain the reports of the Electrical Inspector and the Health Officer of the Directorate of Health Services having charge of that division in which the place or premises where the public exhibition of films on video is sought to be undertaken is situated.

(3) On receipt of the reports referred to in sub-rule (2) above, if the licensing authority is satisfied that adequate precautions have been taken in the place to provide for the safety of the persons attending exhibition therein, he shall grant or renew the licence in 'Form G' with or without adding additional condition, thereto consistent with the provisions of these rules, as he may deem fit in the interest of health and safety of public:

Provided that if the Licensing Authority is satisfied that provisions of these rules have not been fulfilled or it is not in the interest of the health and safety of the public to grant a licence, he may refuse the grant of the licence applied for and communicate to the applicant the reasons for such refusal.

Provided further that nothing in sub-rules (2) and (3) shall apply in the case of video exhibition provided in the transport vehicles.

(4) The Licensing Authority while granting or renewing the licence in Form 'G' shall fix the maximum number of persons to be admitted at a time and also the maximum rates of admission allowed.

(5) The licence may be granted or renewed for a period not exceeding one year.

107. *Inspection.*— (1) The Electrical Inspector shall before issuing report under sub-rule (2) of Rule 106, inspect the installations in the premises where public exhibition of films on video is sought to be made and satisfy himself that appliances and the installations are suitable and in order and meets the requirements of the rules in this part.

(2) The Health Officer shall before submitting the report under sub-rule (2) of rule 106 inspect the said premises to satisfy himself that the provisions relating to public health, ventilation, sanitation and the like are adequate.

(3) Any certificate issued by the Electrical Inspector or the Health Officer shall be valid for a period of one year.

108. *Conditions to be satisfied for grant of licence under this part.*— (1) The distance between the video screen and the first row of seats shall be not less than 3 mts and no person shall be admitted within such space.

(2) The distance between the existing permanent or semi-permanent or temporary cinemas and the Video Public Exhibition shall not be less than 100 mts.

(3) The distance between the Video Centre and another Video Centre shall not be less than 100 metres.

(4) The Licensing Authority may in consultation with the Health Officer require extractors, exhaust fans, ceiling fans or other means of artificial ventilation to be provided.

(5) There shall be provided one W.C. and one Urinal for every 50 persons and less for exclusive use of each sex.

(6) There shall be atleast two door ways fitted with doors to open outwards.

(7) Sufficient drinking water shall be provided in such manner as may be specified by the Licensing Authority.

(8) The number of persons to be admitted into any part of the auditorium shall be determined by calculating at the rate of 20 persons per 9 sq. metres of floor area after exclusion the area for entrance, passage, gangways, stage and all places to which the public are not admitted.

(9) There shall be intervening space of atleast 0.35 metres between the back of one seat and

font of the seat immediately behind measured between perpendiculars.

(10) There shall be a passage of one metre in width for every 10 rows of seating accommodation.

(11) All the cables, wires used shall be of ISI grade and the wiring shall pass through conduit pipes only.

(12) There shall be a separate circuit controlled by a suitable linked switch for the supply of electricity taken to the Video hall.

(13) Three pin plugs with the third pin effectively connected to earth shall be used.

(14) Separate circuits shall be provided for lights, fans and other equipment respectively.

(15) Video films shall not be exhibited in a totally dark room or hall. A dim light of 25 watts to 40 watts bulbs shall be kept burning throughout the exhibition of films.

(16) One portable fire extinguisher of Co₂ or CTC or D.P.C. type of 1 kg. capacity and one bucket (9 litres) filled with sand shall be provided."

3. Insertion of new forms.—After form 'E' appended to the principal rules, the following form shall be inserted; namely:—

"FORM 'F'"

(Rule 17)

Application

1. Full name of the applicant.

2. Address of the applicant.

Village taluka district

3. Status and previous experience of the applicant.

4. Place where the video show is proposed to be located, survey number of numbers of the plot or plots.

Village taluka district

5. Site plan drawn to a scale of not less than one fortieth of an inch to a foot covering an area upto (183 metres) from the boundaries of the proposed site showing:—

(i) the position of the proposed premises in relation to any adjacent premises and to the public thoroughfare upon which the site of such premises abuts; and

(ii) thatched sheds, if any, in the neighbourhood;

6. Possession by the applicant of other places, if any licensed under the Act:—

(i) whether in the same locality or elsewhere;

(ii) whether at the time of applying for licence or at any previous time.

7. Distance by public road of the proposed site to the:—

(i) nearest video show centre;

(ii) nearest permanent or temporary Cinemas.

8. Interest of the public generally likely to be served by the location of the video.

9. Population of the place according the latest census figures.

10. Suitability of the place where the video exhibitions are proposed to be given.

11. Adequacy of the existing places for the exhibition of video films in the locality.

12. Benefit to any particular locality or localities to be afforded by the opening of a new place of video exhibition.

Dated.

Signature of applicant

FORM 'G'

Licence for exhibition under the Goa, Daman and Diu Cinematograph Rules, 1965

Name and address of licensee.

If the licensee is not the owner of the place or building, the name and address of the owner thereof.

Situation of the place or building.

Area of the place of building in square feet.

Whether the place of building is to be used during the day or during the night or both.

Date of last inspection by the Electrical Inspector (or an Officer appointed to assist the Electrical Inspector).

Special conditions, if any, on which the licence is granted.

Period for which the licence is to be in force.

Fees paid.

Maximum number of persons permitted in (each part of) the auditorium:

In the first class	Persons
In the	Persons
In the	Persons
In the	Persons
Total	Persons
Conditions of Licence.	

This licence is granted subject to the provisions of the Cinematograph Act 1952 and Goa, Daman and Diu Cinematograph Rules, 1965. It is also subject to the following conditions. The terms and conditions of the licence, as inserted, may be modified or added to at any time during the currency of the licence:—

1. This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherwise complying with any other law or rule or bye-law made thereunder.

2. (a) The licensee shall not exhibit or permit to be exhibited any film other than a film which has been certified as suitable for public exhibition under the Cinematograph Act, 1952 and which, when exhibited displays the prescribed mark of that authority, and has not been altered or tempered with in any way since such mark was affixed thereto.

(b) The licensee shall not exhibit, or permit to be exhibited, in the place in respect of which this licence is given, to any person who is not an adult, any film which has been certified by an authority constituted under section 3 of the Cinematograph Act, 1952, as suitable for public exhibition restricted to adults.

Explanation.—This condition shall not be construed as prohibiting the exhibition of a film, in respect of which an 'U' Certificate has been granted, to children in arms below the age of three.

(c) The licensee shall not display or cause to be displayed, any photograph picture or poster which depicts or represents or purports to represent a scene or shot which has been excluded from any film under the orders of the Central Board of Film Censors or the Central Government.

(d) There shall be prominently exhibited at each public entrance whenever the premises are open to the public, a notice indicating in tabular form and in clear bold letters and figures;

(i) the title of each film to be shown on that day, other than trailers and advertisement films;

(ii) the approximate time or commencement of each such film;

(iii) whether each such film has received a certificate from the Central Board of Film Censors; and

(iv) whether persons below the age of 18 years, other than children below the age of 3 years, will be admitted or not.

(c) The nature of any certificate received in respect of a film from the Central Board of Film Censors shall clearly be

197. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979).

198. The Uttar Pradesh Zamindari Abolition Laws (Amendment) Act, 1978 (Uttar Pradesh Act 15 of 1978).

199. The West Bengal Restoration of Alienated Land (Amendment) Act, 1978 (West Bengal Act XXIV of 1978).

200. The West Bengal Restoration of Alienated Land (Amendment) Act, 1980 (West Bengal Act LVI of 1980).

201. The Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Goa, Daman and Diu Act 7 of 1964).

202. The Goa, Daman and Diu Agricultural Tenancy (Fifth Amendment) Act, 1976 (Goa, Daman and Diu Act 17 of 1976)."

The Constitution (Forty-Eighth Amendment) Act, 1984

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. Short title. — This Act may be called the Constitution (Forty-eighth Amendment) Act, 1984.

2. Amendment of article 356. — In article 356 of the Constitution, in clause (5), the following proviso shall be inserted at the end, namely:—

'Provided that in the case of the Proclamation issued under clause (1) on the 6th day of October, 1983 with respect to the State of Punjab, the reference in this clause to "any period beyond the expiration of one year" shall be construed as a reference to "any period beyond the expiration of two years".'

The Constitution (Forty-Ninth Amendment) Act, 1984

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Constitution (Forty-ninth Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of article 244. — In article 244 of the Constitution, in clauses (1) and (2), for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted.

3. Amendment of the Fifth Schedule. — In the Fifth Schedule to the Constitution, in paragraph 1, for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted.

4. Amendment of the Sixth Schedule. — In the Sixth Schedule to the Constitution, —

(a) in the heading, for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted;

(b) in sub-paragraph (1) of paragraph 1, for the words and figures "Parts I and II", the words, figures and letter "Parts I, II and IIA" shall be substituted;

(c) after paragraph 12A, the following paragraph shall be inserted, namely:—

"12AA. Application of Acts of Parliament and of the Legislature of the State of Tripura to the autonomous district and autonomous regions in the State of Tripura. — Notwithstanding anything in this Constitution, —

(a) if any provision of a law made by the District or a Regional Council in the State of Tripura with respect to any matter specified in sub-paragraph (1) of paragraph 3 of this Schedule or if any provision of any regulation made by the District Council or a Regional Council in that State under paragraph 8 or paragraph 10 of this Schedule, is repugnant to any provision of a law made by the Legislature of the State of Tripura with respect to that matter, then, the law or regulation made by the District Council or, as the case may be, the Regional Council whether made before or after the law made by the Legislature of the State of Tripura, shall, to the extent of repugnancy, be void and the law made by the Legislature of the State of Tripura shall prevail;

(b) the President may, with respect to any Act of Parliament, by notification, direct that it shall not apply to the autonomous district or an autonomous region in the State of Tripura, or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification and any such direction may be given so as to have retrospective effect."

(d) in paragraph 17, after the words "or Meghalaya", at both the places where they occur, the words "or Tripura" shall be inserted;

(e) in paragraph 20, —

(i) in sub-paragraph (1), —

(A) after the words and figures "in Parts I, II", the figures and letter ", IIA" shall be inserted;

(B) after the words "the State of Meghalaya", the words ", the State of Tripura" shall be inserted;

(ii) in sub-paragraph (2), for the words "Any reference in the table below", the words and figures "Any reference in Part I, Part II or Part III of the table below" shall be substituted;

(iii) after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:—

(3) The reference in Part IIA in the table below to the "Tripura Tribal Areas District" shall be construed as a reference to the territory comprising the tribal areas specified in

the First Schedule to the Tripura Tribal Areas Autonomous District Council Act, 1979';

(f) in the Table, after Part II and the entries relating thereto, the following Part shall be inserted, namely:—

"PART IIA

Tripura Tribal Areas District."

The Constitution (Fiftieth Amendment) Act, 1984

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. Short title.— This Act may be called the Constitution (Fiftieth Amendment) Act, 1984.

2. Substitution of article 33.— For article 33 of the Constitution, the following article shall be substituted, namely:—

"33. Power of Parliament to modify the rights conferred by this Part in their application to Forces, etc.— Parliament may by law, determine to what extent any of the rights conferred by this Part shall, in their application to,—

(a) the members of the Armed Forces; or

(b) the members of the Forces charged with the maintenance of public order; or

(c) persons employed in any bureau or other organisation established by the State for purposes of intelligence or counter intelligence; or

(d) persons employed in, or in connection with, the telecommunication systems set up for the purposes of any Force, bureau or organisation referred to in clauses (a) to (c),

be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them."